

IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

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IN RE:

UNITED CITIES GAS COMPANY, a
Division of ATMOS ENERGY
CORPORATION INCENTIVE PLAN
ACCOUNT (IPA) AUDIT

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**UNITED CITIES GAS COMPANY'S
MOTION TO COMPEL FURTHER RESPONSE
BY THE TRA STAFF TO UNITED CITIES GAS COMPANY'S
FIRST DATA REQUESTS**

United Cities Gas Company ("United Cities") is requesting that the hearing officer compel the TRA staff to further respond to Data Request Nos. 4 and 6.

With respect to Request No. 4, the staff has limited its response to tariffs that involve a "plan year." It was not the intent of United Cities for the staff to narrowly limit its response to only those tariffs which exclusively involve a "plan year." Accordingly, United Cities is requesting that the staff further respond to Request No. 4 and broaden its response to include any adjustments to tariff rates and/or tariff provisions for any utility regulated by the TRA where those adjustments are made prior to final approval of an audit by the staff of such utility.

With respect to Request No. 6, the staff should be compelled to provide the responsive documents which reflect communications between members of the TRA staff, including its legal counsel and the staff, the Attorney General Consumer Advocate and Protection Division. As noted in our Motion to Compel further response by the Consumer Advocate and Protection Division to Data Request No. 21, there is no attorney-client privilege and/or work product doctrine applicable to communications between the TRA and the Attorney General's office.

Respectfully submitted,

BAKER, DONELSON, BEARMAN
& CALDWELL, P.C.

By: Joe Conner ~~with permission~~
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via facsimile and/or hand delivery on September 24th, 2002.

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